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GALLAGHER & KENNEDY, P.A. 2575 E. Camelback Road Phoenix, Arizona 850169225 (602) 530-8000 1

## BEFORE THE ARIZONA CORPORATION COMMISSION

. 1	<b>BEFORE THE ARIZONA CORTOR</b>	ATION COMMISSION
2 3 4	MARC SPITZER CHAIRMAN WILLIAM A. MUNDELL COMMISSIONER JEFF HATCH-MILLER COMMISSIONER  COMMISSIONER	
5	MIKE GLEASON COMMISSIONER  JAN 1 2 200 DOCKETED BY	ASS W C
6	KRISTIN K. MAYES COMMISSIONER	6 P P P P P P P P P P P P P P P P P P P
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8	IN THE MATTER OF COMPETITION IN THE PROVISION OF ELECTRIC SERVICES	DOCKET NO. RE-00000C-94-0165
9	THROUGHOUT THE STATE OF ARIZONA	
10	DAMAGE MARKED OF THE STRANDED COST	DOCKETNO E 017504 09 0467
11	IN THE MATTER OF THE STRANDED COST FILING AND REQUEST FOR A WAIVER OF CERTAIN PORTIONS OF THE RULES FILED BY	DOCKET NO. E-01750A-98-0467
12	MOHAVE ELECTRIC COOPERATIVE, INC.	
13	IN THE MATTER OF THE FILING BY MOHAVE ELECTRIC COOPERATIVE, INC. OF	DOCKET NO. E-01750A-97-0701
14	UNBUNDLED AND STANDARD OFFER SERVICE TARIFFS PURSUANT TO A.A.C. R14-2-	
15	1606.	
16	IN THE MATTER OF THE STRANDED COST FILING AND REQUEST FOR A WAIVER OF	DOCKET NO. E-01461A-98-0466
17	- I	
18		DOGWDWN10 F 014614 07 0606
19	IN THE MATTER OF THE FILING BY TRICO ELECTRIC COOPERATIVE, INC. OF UNBUNDLED AND STANDARD OFFER	DOCKET NO. E-01461A-97-0696
20	SERVICE TARIFFS PURSUANT TO A.A.C. R14-2-1606.	·
21		
22	IN THE MATTER OF THE STRANDED COST FILING AND REQUEST FOR A WAIVER OF CERTAIN PORTIONS OF THE RULES FILED BY	DOCKET NO. E-01749A-98-0468
23	GRAHAM COUNTY ELECTRIC COOPERATIVE, INC.	
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1 2	IN THE MATTER OF THE STRANDED COST FILING AND REQUEST FOR A WAIVER OF CERTAIN PORTIONS OF THE RULES FILED BY	DOCKET NO. E-01703A-98-0469
3	DUNCAN VALLEY ELECTRIC COOPERATIVE, INC.	
5	IN THE MATTER OF THE STRANDED COST FILING AND REQUEST FOR A WAIVER OF CERTAIN PORTIONS OF THE RULES FILED BY	DOCKET NO. E-01575A-98-0472
6	SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC.	
7	IN THE MATTER OF THE FILING BY SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE,	DOCKET NO. E-01575A-97-0706
8 9	INC. OF UNBUNDLED AND STANDARD OFFER SERVICE TARIFFS PURSUANT TO A.A.C. R14-2-1606.	
10	NOTICE OF ERRATA	
11	Attached are the first two pages of the Duncan and Graham response to the Application	
12	of Phelps Dodge, et al which was filed on January 9, 2004. This Notice is being filed to correc	
13	the docket numbers on the Mohave captions.	
14	RESPECTFULLY SUBMITTED this 12th day of January, 2004.	
15	GALLAGHER & KENNEDY, P.A.	
16	By Wichael W. Su	
17	Michael M. Grant Todd C. Wiley	
18	2575 East Camelback Road Phoenix, Arizona 85016-9225	
19	Attorneys for Duncan Valley Electric Cooperative and Graham County Electric Cooperative	
20	Granan	recuity Electric Cooperative
21	Original and 29 copies filed this 12th day of January, 2004, with:	
22	Docket Control	
23	Arizona Corporation Commission 1200 West Washington	
24	Phoenix, Arizona 85007	

1	Copies of the foregoing mailed this 12th day of January, 2004, to:	
2		
3	Jane L. Rodda Administrative Law Judge	
4	Hearing Division Arizona Corporation Commission	
5	400 West Congress Street Tucson, Arizona 85701-1347	
6	Ernest Johnson, Director of Utilities	
7	Utilities Division Arizona Corporation Commission	
8	1200 West Washington Phoenix, Arizona 85007	
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9	Janet Wagner, Staff Attorney Legal Division	
10	Arizona Corporation Commission 1200 West Washington	
11	Phoenix, Arizona 85007	
12	C. Webb Crockett	
13	Fennemore Craig 3003 N. Central Avenue, Suite 2600	
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15	Successor in Interest to Cyprus Climas Metals Company; ASARCO Incorporated; Cyprus Climax	
	Metals Company; and Arizonans for Electric	
16	Choice and Competition	
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## BEFORE THE ARIZONA CORPORATION COMMISSION

2	MARC SPITZER	
3	CHAIRMAN WILLIAM A. MUNDELL	
ار	COMMISSIONER	
4	JEFF HATCH-MILLER	
5	COMMISSIONER MIKE GLEASON	
٦	COMMISSIONER	
6	KRISTIN K. MAYES	
7	COMMISSIONER	
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8	IN THE MATTER OF COMPETITION IN THE	DOCKET NO. RE-00000C-94-0165
	PROVISION OF ELECTRIC SERVICES THROUGHOUT THE STATE OF ARIZONA	
9	THROUGHOUT THE STATE OF ARIZONA	
10		
	IN THE MATTER OF THE STRANDED COST	DOCKET NO. E-01750A-98-0467
11	FILING AND REQUEST FOR A WAIVER OF CERTAIN PORTIONS OF THE RULES FILED BY	
12	MOHAVE ELECTRIC COOPERATIVE, INC.	
10	DI TITLE A CATEER OF THE PH DIC DV MOLLAVE	DOCKETNO E 017504 07 0701
13	IN THE MATTER OF THE FILING BY MOHAVE ELECTRIC COOPERATIVE, INC. OF	DOCKET NO. E-01750A-97-0701
14	UNBUNDLED AND STANDARD OFFER	
	SERVICE TARIFFS PURSUANT TO A.A.C. R14-2-	
15	1606.	
16	IN THE MATTER OF THE STRANDED COST	DOCKET NO. E-01461A-98-0466
	FILING AND REQUEST FOR A WAIVER OF	
17	CERTAIN PORTIONS OF THE RULES FILED BY	·
18	TRICO ELECTRIC COOPERATIVE, INC.	
	IN THE MATTER OF THE FILING BY TRICO	DOCKET NO. E-01461A-97-0696
19	ELECTRIC COOPERATIVE, INC. OF	
20	UNBUNDLED AND STANDARD OFFER SERVICE TARIFFS PURSUANT TO A.A.C. R14-2-	
	1606.	
21	DI MANE MARMED OF MALE CODY AND DO COCK	DOCKETNO E 017404 09 0469
22	IN THE MATTER OF THE STRANDED COST FILING AND REQUEST FOR A WAIVER OF	DOCKET NO. E-01749A-98-0468
	CERTAIN PORTIONS OF THE RULES FILED BY	
23	GRAHAM COUNTY ELECTRIC COOPERATIVE,	
24	INC.	1
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DOCKET NO. E-01703A-98-0469 IN THE MATTER OF THE STRANDED COST FILING AND REQUEST FOR A WAIVER OF CERTAIN PORTIONS OF THE RULES FILED BY DUNCAN VALLEY ELECTRIC COOPERATIVE, 3 INC. DOCKET NO. E-01575A-98-0472 IN THE MATTER OF THE STRANDED COST FILING AND REQUEST FOR A WAIVER OF 5 CERTAIN PORTIONS OF THE RULES FILED BY SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC. 6 DOCKET NO. E-01575A-97-0706 7 IN THE MATTER OF THE FILING BY SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC. OF UNBUNDLED AND STANDARD OFFER (PROCEDURAL CONFERENCE SERVICE TARIFFS PURSUANT TO A.A.C. R14-2-REQUESTED) 9 1606. 10 DUNCAN AND GRAHAM'S RESPONSE TO THE APPLICATION OF PHELPS DODGE, ASARCO AND AECC FOR THE SCHEDULING OF THE DISTRIBUTION 11 COOPERATIVES' STRANDED COST HEARING 12 Duncan Valley Electric Cooperative, Inc. ("Duncan") and Graham County Electric 13 Cooperative, Inc. ("Graham") submit this response to the Application of Phelps Dodge, 14 ASARCO and Arizonans for Electric Choice and Competition (collectively "AECC") dated 15 December 19, 2003 in these consolidated dockets (the "Application"). The Application requests 16 that the Commission schedule a hearing on the Stranded Cost cases and issue an order 17 determining Stranded Costs as well as opening Duncan, Graham and the other Distribution 18 Cooperatives' territories to competition. For the reasons set forth below, Duncan and Graham 19 request that the Application be denied until various other issues concerning the Electric 20 Competition Rules have been resolved. 21 Brief Statement of the Response. 22 Pursuant to a Procedural Order issued by the Administrative Law Judge in these 23

consolidated cases on January 21, 2000, consideration of the Duncan and Graham Stranded Cost

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